

REMARKS

This is a Preliminary Amendment to the Request for Continued Examination filed herewith and is responsive to the Final Office Action of July 27, 2007. With this Preliminary Amendment, claims 1, 39 and 109 are amended and all pending claims 1-45, 47-54, 56, 109 and 111-112 are presented for consideration and favorable action.

In the Office Action, the rejection under 35 U.S.C. § 102 continued based upon Gollomp (US 6,424,157). With this response, independent claims have been amended to clarify the present invention with respect to the Gollomp reference.

The Gollomp reference appears to show some sort of integrated system which requires a built in analog to digital converters, volt meter and a current shunt. (See Figure 7.) The system is directed at providing a “real time determination and notification to the vehicle user.” (See Col. 3, lines 50-51.)

In contrast, the present invention is related to a portable testing system in which a cable is used to electrically couple the device to the battery of the vehicle. Through this cable and battery connection, a battery test is performed, a starter test is performed and a charging system test is performed. This would not be possible using the Gollomp reference because it requires multiple connections to the electrical system of the vehicle and is not a portable system.

As Gollomp does not show all of the elements of the claimed invention, it is believed that the rejection may be withdrawn.

Reconsideration and favorable action are respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,
WESTMAN, CHAMPLIN & KELLY, P.A.

By: /Judson K. Champlin/
Judson K. Champlin, Reg. No. 34,797
900 Second Avenue South, Suite 1400
Minneapolis, Minnesota 55402-3319
Phone: (612) 334-3222 Fax: (612) 334-3312